

UNITED STATES DISTRICT COURT APR 02 2018

for the
Southern District of Texas

Clerk of Court

United States of America
v.
Maria NAVARRETE-De Grubich
(YOB: 1964, COB: Mexico)

SEALED Case No.

M-18-0688-M
(Related: M-18-CR 0214)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 20, 2018 in the county of Brooks in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1324(a)(1)(A)(iii)

Alien Smuggling

8 U.S.C. § 1324(a)(1)(A)(v)(I)

Knowing or in reckless disregard of the fact that Obed CRUZ-Chay (COB: Guatemala) and others, who were aliens, who had come to, entered or remain in the United States in violation of law, conceals, harbors, or shields from detection or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation; to wit: conspiracy to transportation from a place in McAllen, Texas to another place in McAllen, Texas.

This criminal complaint is based on these facts:

SEE "ATTACHMENT A"

✓ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 4/2/2018City and state: McAllen, Texas

Complainant's signature

Brian Yontz, HSI TFO

Printed name and title

Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Brian Yontz, am a Task Force Officer (TFO) assigned to the United States Homeland Security Investigations (HSI), and have knowledge of the following facts:

1. On January 20, 2018, U.S. Border Patrol agents (BPA) encountered a white 2004 Freightliner semi-tractor hauling a white Wabash trailer as it approached the primary inspection lanes at the Falfurrias U.S. Border Patrol Checkpoint. During the primary immigration inspection, a Department canine alerted to the semi-tractor and trailer. The semi-tractor and trailer was placed in secondary inspection and searched.
2. During the search of the trailer, agents discovered fifty-seven (57) undocumented aliens (UDAs) concealed inside. Upon questioning, all fifty-seven (57) UDAs admitted to being illegally present in the United States.
3. One of the UDAs in the trailer, Jose Feliciano RUIZ-Murillo, was advised of his Miranda warnings by HSI TFO Yontz, which he stated he understood and subsequently waived in writing. Post-Miranda, RUIZ-Murillo admitted that he gave instructions to the UDAs and told them to get into the trailer.
4. During the investigation, agents interviewed numerous UDAs and gathered information from several cellphones and pocket trash. Agents were able to identify one phone number from a cellphone as belonging to Maria Navarrete-De Grubich. Agents were able to show several UDA's a photo line-up and three UDA's were able to identify Maria Navarrete-De Grubich as a stash house caretaker and the person who transported them to the semi-tractor and trailer.
5. Material witness, Obed Natanael CRUZ-Chay, a citizen of Guatemala who was unlawfully in the United States, stated he crossed the Rio Grande River on January 10, 2018, with approximately nine (9) other persons. After crossing, he and four (4) other UDAs in the group were picked up in a black sports utility vehicle (SUV) by Maria NAVARRETE-De Grubich. He said NAVARRETE-De Grubich transported them to a human stash house, opened the gate, and the group of UDAs went inside. He told agents that the group stayed at the human stash house for approximately one week. He said that NAVARRETE-De Grubich dropped off groceries nightly and the UDAs cooked the food. He stated that NAVARRETE-De Grubich initially took five (5) UDAs from the human stash house and then returned and transported him and others to a produce warehouse in the same black SUV. He stated that there were approximately forty (40) other UDAs at the warehouse also, including Chinese and Brazilians. He told agents that the male, later identified as RUIZ-Murillo instructed the UDAs to get inside the trailer slowly; crouch down and that it would be one and one-half hours before they get to the United States Border Patrol Checkpoint. CRUZ-Chay told agents that they were given blankets from inside duffel bags and was told to cover themselves because of the cold air. CRUZ-Chay stated that a male on a forklift then loaded produce into the trailer and later he heard

the trailer doors close. CRUZ-Chay said that RUIZ-Murillo told the UDAs to be quiet once they loaded and at the checkpoint.

6. CRUZ-Chay positively identified NAVARRETE-De Grubich in a photo lineup as the person who transported and harbored the UDAs.
7. UDA inside the semi-trailer, Carlos CORDOVA-De La Cruz, a citizen of Mexico who was unlawfully in the United States, stated he crossed the Rio Grande River on or about January 7, 2018. After crossing, he was picked up and transported to a human stash house with other UDAs. He told agents that he stayed at the human stash house for approximately two weeks. He said that NAVARRETE-De Grubich dropped off food to the UDAs at the human stash house. He stated that NAVARRETE-De Grubich transported him in an SUV to a white box truck, where he and other UDAs were then transported to a warehouse. He said he was put inside a semi-trailer and driven before being arrested at the United States Border Patrol Checkpoint.
8. CORDOVA-De La Cruz positively identified NAVARRETE-De Grubich in a photo lineup as the person who dropped off food at the human stash house and transported him.
9. UDA inside the semi-trailer, Joel AVILES-Espinal, a citizen of El Salvador who was unlawfully in the United States, stated he crossed the Rio Grande River on or about January 15, 2018. He said he was then taken to a human stash house. He stated that NAVARRETE-De Grubich dropped off groceries to the UDAs at the human stash one time a day, usually in the evenings, and the UDAs cooked the food. He stated that NAVARRETE-De Grubich transported him in a black Lincoln SUV to a box truck, where he and other UDAs were then transported to a semi-tractor trailer. He said he was put inside a semi-trailer and driven before being arrested at the United States Border Patrol Checkpoint.
10. AVILES-Espinal positively identified NAVARRETE-De Grubich in a photo lineup as the person who dropped off food at the human stash house and transported him.